SINGLE BENCH

C.S. 1001

(1)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 5329 /2005

PETITIONER : **Jitendra Kumar Mishra (Patwari)**
S/o Late Shri Kripa Shanker Mishra,
Aged about 35 years
Resident of Jain Mandir Road,
Pratapdev ward Jagdalpur (C.G.)

P.R. No. 5329/05
Presented by Shri Akhilesh Kaushik
dated 19/10/05

-VERSUS-

RESPONDENTS :

1. **State of Chhattisgarh**
Through the Secretary, Department of Revenue, D.K.S. Bhavan, Mantralya Raipur.(C.G.)
2. **The Commissioner, Department of Land Record,**
D.K.S. Bhavan, Mantralya Raipur.(C.G.)
3. **The Collector- Bastar ,**
Land Record, Collectorate Jagdalpur, Bastar (C.G.)
4. **Smt Asha Mahapatra (Patwari),**
Posted at Tehsil office Narayanpur, Distt. Bastar (C.G.)

RECEIVED-COPY
19/10/05
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI MANDAMUS ETC AND FOR APPROPRIATE ORDER/ ORDETS, DIRECTION/ DIRECTIONS.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(24)

आदेश पत्रक

मामला क्रमांक WP 5319/05 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	19-12-2005 Shri Avinash Mishra, counsel for the petitioner. Shri Sandeep Dubey, Govt. Advocate for the State. **I.A.No.9575/2005** This is an application for condonation of delay in filing process fee. Learned counsel for the petitioner submits that due to bona fide mistake the petitioner could not paid the process fee within time and prays for condoning the delay in filing the process fee. On the other hand, learned counsel appearing for the State submits that after obtaining interim relief the petitioner should have complied the orders passed by this Court by paying process fee within the stipulated period. Having considered the facts and circumstances of the case and material on record, the application (I.A.No.9575/2005) is allowed and the delay in filing the process fee is condoned. Accordingly, I.A.No.9575/2005 stands disposed of. Heard. Learned counsel for the petitioner submits that vide order dated 16-9-2005 (Annexure-P/1) the petitioner has been transferred from Tahsil Office, Jagdalpur to Tahsil Office Narayanpur. He further submits that the transfer order has been issued during the ban period. He also submits that the petitioner's mother who is aged about 66 years is suffering from severe attack of paralysis. Learned counsel submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.	

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

25

आदेश पत्रक

मामला क्रमांक WP 5319/05 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within a period of two weeks, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within a period of two months from the date of receipt of the representation.

Learned counsel for the petitioner submits that the petitioner has not been relieved. He prays that the petitioner may be allowed to continue.

In view of the aforesaid statement made by learned counsel appearing for the petitioner, it is directed that if the petitioner has not been relieved he may be allowed to continue till the representation is decided.

With the aforesaid observations, this petition stands disposed of.

Consequently, M.(W.).P.No.4279/05 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Gowri

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